

# MINUTES OF THE PLANNING COMMISSION MEETING

July 15, 2020

The meeting of the Planning Commission of the Village of Slinger was called to order at Village Hall - 300 Slinger Rd, Slinger, WI at 6:30 PM on Wednesday, July 15, 2020 in accordance with the notice of meeting delivered to the members on July 10, 2020.

## 1. Roll Call:

	<u>Present</u>	<u>Absent</u>
Commissioner Behrend	x	
Commissioner Ammerman	x	
Commissioner Stuetgen	x	
Commissioner Lehn	x	
Commissioner Erovick	x	
Chairman Brandt	x	
Commissioner Fredericks	x	
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Also Present:

Administrator Margaret Wilber, Planner/Zoning Administrator Mary Censky, Engineer Jim Haggerty and Clerk Tammy Tennies.

Chairman Brandt informed the members present that the open meeting law had been complied with in connection with the meeting. Notice of the meeting was sent to all who requested same and posted in three public locations.

## 2. Approval of Minutes

### A. 6-10-2020 Minutes DRAFT

Motion Commissioner Behrend/Commissioner Stuetgen to approve the minutes of 6-20-2020; Passed

## 3. Public Hearing and Action Thereon

### A. Consider request from Chaz Hastings d/b/a Wi Piggy, LLC to expand the permitted hours of his currently approved Conditional Use Permit for the outdoor sales and consumption of alcoholic beverages at Community park. The Village of Slinger owns the property and it is zoned P-1 Parks and Recreation District.

Clerk Tennes read the public hearing notice and stated that no comments had been received.

Chairman Brandt opened the Public Hearing at 6:32pm. There being no public comments, the hearing was closed at 6:33pm.

Administrator Wilber noted that the amendment to the CUP was to extend the hours of sales/serving alcohol. She noted that the applicant also runs a beer garden in Sussex and may have

used the hours of sales/serving alcohol from that municipality, not realizing that approval for the longer hours were necessary in Slinger.

It was noted that the applicant is finding that activities are occurring past the 9:30pm sales/serving alcohol that was approved on the original CUP. The proposed amendment is asking for the hours of operation to be Monday - Friday 3pm-11pm, with the sales/serving alcohol ending at 10:30pm daily and Saturday and Sunday 8am-11pm, with sales/serving of alcohol ending at 10:30pm daily.

Motion Commissioner Fredericks/Commissioner Lehn to approve the amended conditional use permit as requested for Chaz Hastings d/b/a WI Piggy, LLC; Passed

- B. Consider request from applicant Kelly Henrickson & Tracy Smith d/b/a Hilbert Company LLC to amend the text of the Village Code, Section 550.28 (B-1 Commercial District) subparagraph B., to add among the Conditional Uses that may be considered for approval a new Conditional Use described as “Nano Distillery”.**

Clerk Tennes read the public hearing notices and stated that no comments had been received.

Chairman Brandt opened the Public Hearing at 6:37pm. There being no public comments, the hearing was closed at 6:38pm.

Planner Censky explained to the Commission the proposed definition of Nano Distillery, meaning a producer of alcoholic distilled spirits of up to 500 barrels per year for the purpose of wholesale distribution and retail sales to the public for on-site consumption and sampling and/or for carryout not to exceed 3 bottles (750ml) per person per day. She stated that the code would need to be amended to add Nano Distillery to permitted conditional uses in order to consider a recent request presented.

Discussion was held and the Commission expressed they were glad to hear of this proposed use in the downtown area.

The applicant, Mr. Kelly Henrickson, owner of the Slinger House was present for the meeting. Mr. Henrickson explained the difference in breweries and distilleries, along with the process of the distillery.

Motion Commissioner Lehn/Commissioner Behrend to forward to the Village Board for approval the text amendment of the Village Code, Section 550.28 subparagraph B., to add among the conditional uses that may be considered for approval a new conditional use described as "Nano Distillery"; Passed

- C. Consider request from applicant Kelly Henrickson & Tracy Smith d/b/a Devise LLC for a Conditional Use Permit to establish and conduct the use “Nano Distillery” and including related retail product sales, product sampling/tasting &**

**product wholesale functions in a portion of the existing building located at 111 Kettle Moraine Drive North. The current property owner is P&S Enterprises LLC. The property is zoned B-1 Commercial District.**

Clerk Tennes read the public hearing notices and stated that no comments had been received.

Chairman Brandt opened the Public Hearing at 6:45pm. There being no public comments, the hearing was closed at 6:46pm.

Planner Censky explained to the Commission that subject to approval from the Village Board amending the code to include Nano Distillery, the applicant is applying for a CUP to establish and conduct the use "Nano Distillery" and include related retail product sales, product sampling/tasting and product wholesale functions. She noted that the process of creating and opening a distillery is lengthy and stated that the applicant is asking for an extension to the time frame for completion before the CUP approval would expire.

Commissioners noted they did not see a problem in extending the time frame for the start of work or actual operations. They concluded that a 2-year extension was appropriate.

Motion Commissioner Fredericks/Commissioner Stuetgen to approve the conditional use permit to establish and conduct the use "Nano Distillery" and including related retail product sales, product sampling/tasting and product wholesale functions and including a 2yr. extension for a start of construction or operations; all this is subject to the Village Board approving the Code change to include "Nano Distillery"; Passed

**D. Consider request from applicant Kelly Henrickson & Tracy Smith d/b/a Hilbert Company LLC requesting approval of a Conditional Use Permit Amendment to expand the currently approved outdoor sales and/or consumption area accessory to their Slinger House restaurant and bar. The property is located at 100 West Washington Street and 111 Kettle Moraine Drive North. It is zoned B-1 Commercial District. The current property owner is P&S Enterprises LLC.**

Clerk Tennes read the public hearing notices and stated that no comments had been received.

Chairman Brandt opened the Public Hearing at 6:59pm. There being no public comments, the hearing was closed at 7:00pm.

Planner Censky explained that with the purchase of the Bergmann property, the applicant plans to use the area north of the Carriage House for additional outdoor seating and serving alcohol, so an amendment to the CUP is necessary.

It was noted that the applicant will also need to petition the Village Board to include this new area in the liquor license premises description.

Motion Commissioner Lehn/Commissioner Ammerman to approve an amendment to conditional use permit to expand the currently approved outdoor sales and/or consumption area accessory to their Slinger House restaurant and bar; Passed

- E. Consider request from applicant Kelly Henrickson & Tracy Smith d/b/a Hilbert Company LLC requesting approval of a Conditional Use Permit to establish and conduct the use “cabinet and countertop makers showroom, office and shop (including an in-house spray booth)”. The property is located at 111 Kettle Moraine Drive North. It is zoned B-1 Commercial District.**

Clerk Tennes read the public hearing notices and stated that no comments had been received.

Chairman Brandt opened the Public Hearing at 7:07pm. There being no public comments, the hearing was closed at 7:08pm.

Commissioners asked about the noise and odors that could result from a spray booth, along with the truck traffic expected.

Mr. Corey Smith, of Smith Bros. Cabinetry was present for the meeting and noted that it will be a state of the art spray booth which will most likely be used once a week and will be properly ventilated. He stated that there aren't large or frequent deliveries, it will be mostly pick-up trucks with trailers.

Motion Commissioner Erovick/Commissioner Lehn to approve the conditional use permit to establish and conduct the use "cabinet and countertop makers showroom, office and shop (including an in-house spray booth)"; Passed

#### **4. New Business and Action Thereon**

- A. Consider the request from applicant Kelly Henrickson & Tracy Smith d/b/a Hilbert Company LLC for Certified Survey Map recommendation for approval to the Village Board to reconfigure the lot lines of the four parcels known as V5-002, V5-000400B, V5-000500B and V5-000500A into a three lot configuration, all situated in/around 112 W. Washington Street, 100 W. Washington Street and 111 Kettle Moraine Drive North. The property owners are P&S Enterprises LLC, Edward Bergmann and Hilbert Company LLC. The properties are zoned B-1 Commercial District.**

Planner Censky reviewed the certified survey map with the Commissioners and pointed out that Lot 2 and Lot 3 do not meet the Village Code for the required width of a property.

Administrator Wilber noted that staff will look into a solution to bring the properties into compliance and work with Mr. Henrickson to get the CSM in alignment with the Code. This may have to come back to the Planning Commission again depending on the Village Board's decision.

Motion Commissioner Fredericks/Commissioner Behrend to forward to the Village Board for approval the request for certified survey map to reconfigure the lot lines of the four parcels known as V5-002, V5-000400B, V5-000500B and V5-000500A, subject to staff researching a solution for the properties to be aligned with Code standards; Passed

- B. Consider the request of applicant Kelly Henrickson & Tracy Smith d/b/a Hilbert Company LLC requesting site plan approval to develop a private parking lot**

**over this parcel and to incorporate the existing carriage house as a dining space extension attendant to the existing Slinger House use. The property is known as V5-000400B and V5-000500B. The current property owner is Edward Bergmann and it is zoned B-1 Commercial District.**

Planner Censky discussed the site plan being proposed by Mr. Henrickson, which includes incorporating the carriage house as a dining area expansion to the Slinger House and adding 17 stalls for parking. She noted that the applicant has not committed to placement of the dumpster at this time. Planner Censky stated that the applicant would like one year to try different locations to place the dumpster on the property, to see what works best for the employees and then come back to staff for final location and screening approval.

Discussion was held on the placement and illumination of the lights and the potential impact on surrounding lots.

Planner Censky stated that the overall outside boundary of the lots is not changing.

Mr. Henrickson stated that the lights are the same as what is currently in the existing parking lots and should not be an issue. He noted that he would gladly work with the neighbor and if the lights would become a problem and he would resolve the matter.

Motion Commissioner Fredericks/Commissioner Erovick to approve the request for a site plan to develop a private parking lot over parcels V5-00400B and V5-000500B and to incorporate the existing carriage house as a dining space extension attendant to the existing Slinger House use, along with the lighting plan and the request to have 1 year from the completion of the project to have a permanent placement of the dumpster; Passed

- C. Consider the request from owner/applicant Dairyland Commercial Condominium Owners Association, in c/o Daniel Tessmer and Scott Lackas as President and Director respectively, for Site Plan Amendment approval to designate a specific area(s) within the overall condominium space for “long-term” parking of operable, intact, and, if applicable, registered and licensed vehicles and trailers accessory to approved occupancies in the various buildings which make-up this condominium. The property is located at 120 – 126 West Commerce Blvd. and it is zoned B-2 Commercial District.**

Planner Censky reminded the Commission that they previously approved several conditional use permits with temporary outdoor storage, but with language allowing long term parking/storage ending 8-31-2020. She stated that the Owners Association has determined that it would benefit from a permission to establish three specific areas within the site for long term parking of operable, intact, and if applicable, registered and licensed vehicles and trailers accessory to approved occupancies within the project. Planner Censky noted that the one area closest to Commerce Boulevard (directly next to 120 Commerce Blvd.), is somewhat visible from the public road and is enclosed by cyclone type fencing that you can see through and no other screening is being proposed.

Motion Commissioner Lehn/Commissioner Fredericks to approve the request to designate a specific area(s) within the overall condominium space for "long-term" parking of operable, intact, and if applicable, registered and licensed vehicles and trailers accessory; Passed

**D. Consider the request of property owner/applicant Kevin Leitner for Concept Review of a site/use plan to place an 18,720 sq. ft. business condominium building on the vacant Units (lots) 1 and 2 of the Windy Hill Condominium located at the Northwest corner of Lovers Lane and Hwy.60. The property is zoned B-2 Business District.**

Planner Censky described the generalities of this concept review. It was noted that the applicant had received and signed the concept review process acknowledgment form.

Discussion was held on the concept plan, including set back issues, landscape buffer space, the private road and fire department review.

No action was taken.

**5. Adjourn Meeting**

Motion Commissioner Stuetgen/Commissioner Erovvick to adjourn at 8:10pm; Passed

Approved By: \_\_\_\_\_  
Russell Brandt

Drafted By: Tammy Tennes, Clerk/HR Village of Slinger